

October 1, 2009

A regular Meeting of the Town Board of the Town of Harrison, Westchester County, New York was held at the Municipal Building, 1 Heineman Place, Harrison, NY, Westchester County, on the 1st day of October at 7:30 PM, Eastern Daylight Savings Time. All members having received due notice of said meeting:

MEMBERS PRESENT:

Joan B. Walsh Supervisor

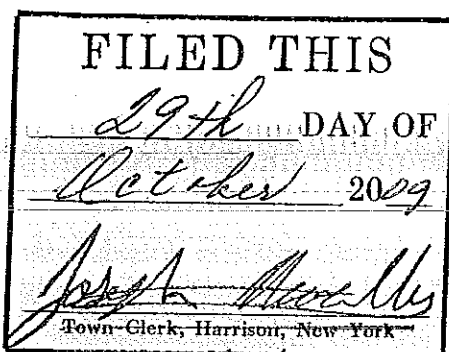
Joseph Cannella)
Patrick Vetere)Councilmen
Thomas Scappaticci)
Fred Sciliano)

ALSO ATTENDING:

Frank Allegretti Town Attorney
Robert Paladino..... Village Attorney
Jonathan Kraut Deputy Village Attorney
Fred Castiglia Deputy Town Attorney
David Hall Chief of Police
Maureen MacKenzie Comptroller
Judy D'Agostinis Director of Purchasing
Ron Belmont Superintendent of Recreation
Robert Wasp Commissioner of Public Works
Robert FitzSimmons Building Inspector

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October 1, 2009

2009 - - 375

PRESENTATION: BY RJ SUHRE RE: DOG PARK PROJECT

Mr. RJ Suhre addressed the Board, saying that he went door to door in the Crystal and Condit Street area, getting 11 residents to sign the petition wanting the dog park and has secured more donations. Mr. Suhre showed the Board and the audience, pictures of the dog park site explaining that there would be a gated entrance for residents who are walking rather than driving.

Supervisor Walsh told Mr. Suhre that he was doing a great job, and asked what the dimensions of the dog park will be.

Mr. Suhre responded: 100x75 feet.

Councilman Vetere asked: is that the standard size for a dog park.

Mr. Suhre said: Yes.

Mrs. Walsh asked if it would be sectioned off for the smaller dogs.

Mr. Suhre replied: it is split in half, one side for dogs less than 30 lbs. and the other side for dogs 30 lbs. and more. It will have one main gate divided into two.

Councilman Vetere stated that he thought it was a great idea and donated \$100.

Supervisor Walsh thanked Mr. Vetere and she donated \$100.

Councilman Cannella also donated a \$100.

Resident Lucille Held asked: why they didn't think about the ball park area.

Supervisor Walsh said they did look at it, but there were several drawbacks and asked Mr. Wasp for comment.

Commissioner of Public Works Robert Wasp explained that there is a wetland buffer matter, a wetland matter and an ongoing matter with the Beaver Swam Brook with the DEC. Our DEC Consultant went to look at it and it was not favorable.

On motion of Councilman Sciliano, seconded by Councilman Vetere,

it was

RESOLVED to approve the Dog Park Project being in Veterans Park.

FURTHER RESOLVED to forward a copy of this Resolution to the Commissioner of Public Works, the Comptroller and Mr. Suhre.

Adopted by the following vote:

AYES: Councilmen Cannella, Vetere, Scappaticci and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

Supervisor Walsh stated that a donation was made prior to tonight's meeting in the amount of \$1,000. She congratulated Mr. Suhre for a job well done.

Resident Mike Colombo addressed the Board expressing that he's against this only because the summer months are bedlam in that area.

Supervisor Walsh stated that the dog park will close at dusk.

Commissioner Wasp said that if anyone else has concerns please contact his office.

After much discussion the vote was still 4 to 0 in favor of Veteran's Park.

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FILED THIS

29th DAY OF

OCTOBER 2009

Town Clerk

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October 1, 2009

2009 - - 376

LETTER OF PRAISE FOR SOME RECREATION STAFF MEMBERS

Supervisor Walsh read a letter from resident Carlo Riccobono praising and thanking the staff members of the Recreation Department.

Mr. Riccobono explained that this past summer his son and several other students attended the Summer Reading Program sponsored by Preston School. The program ran for four weeks from 8:30 am – 10:30 am. There was no bus transportation available to transport the children from Preston School to the Day Camp. The following staff members met the children each morning and walked them to camp:

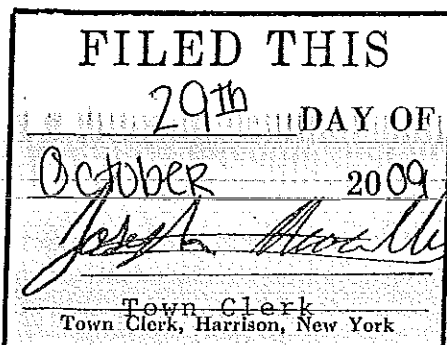
Kristen Ciafone
Thomas Troiano
Barbara Fanelli
Youlalnda Cummins,
Sean Neu
Jason Neu

STATEMENT BY SUPERVISOR JOAN WALSH
RE: RUMORS ABOUT TOWNHOUSES AND DUMPING
CIRCULATING IN THE TOWN

Supervisor Joan Walsh discussed certain rumors currently circulating the town. The first, being that Townhouses will be built on the land being sold off of Old Orchard Street. Mrs. Walsh stated that there will be no townhouses built in area of Old Orchard Street, only eight (8) single homes. Further, there will be no thru street to Stonewall Circle. The second is that an accusation has been made that there has been illegal dumping on that site. Mrs. Walsh stated that the police are actively investigation this claim.

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October 1, 2009

2009 - - 377

DONATION TO THE SENIOR VAN FOR SENIOR TRANSPORTATION

AMOUNT: \$250

A donation in the amount of \$250 was made to the Senior Van for Senior Transportation to and from doctor appointments. The anonymous donors are grateful, thankful and appreciative of all the caring they receive from Flo, Joe, Cosmo and Rocco.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to authorize Supervisor Walsh to accept a donation in the amount of \$250 from an anonymous donor, to be used specifically for the Van Program that transports our Seniors to and from doctor appointments and to various Senior activities.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Director of Community Services and Rocco Troiano.

Adopted by the following vote:

AYES: Councilmen Cannella, Vetere, Scappaticci and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

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Town Clerk

October 1, 2009

2009 - - 378

PRESENTATION; RE: UNITED WAY OF WESTCHESTER AND PUTNAM

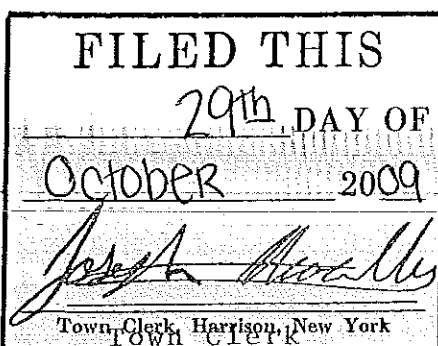
Supervisor Walsh introduced Mary Ann Luna and Luz Barrera.

Ms. Rivera stated that United Way is very excited about The Financial Education Program at the Workplace. United Way's mission is to help residents achieve financial stability. In order to accomplish this United Way has created The Financial Education Program, a free on-site series of eight (8) financial workshops, geared to empower low to moderate income employees with the tools to make effective decisions regarding basic banking, budgeting and financial planning, managing credit, debt reduction, building assets, foreclosures and credit fraud and identify theft. Attorneys will be on hand to answer questions. Ms. Rivera continued that there are pamphlets in the Lobby for anyone interested. If anyone would like more information, please call 914-997-6700 ext. 740.

Supervisor Walsh thanked them for coming to tonight's meeting and sharing their information with the Town of Harrison.

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October 1, 2009

2009 - - 379

ACCEPTANCE OF CORRESPONDENCE AND REPORTS:

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the following correspondence and reports:

- 1a. Monthly report by the Superintendent of Recreation for August 2009.
- 1b. Monthly report by the Chief of Police for August 2009.
2. Notification by Mae Carpenter, Commissioner, Department of Senior Programs & Services that Senior Law Day in Westchester a program offering Free Legal Advice to Older Adults, their Families and Significant Others, will take place at the Westchester County Center in White Plains, on Thursday, October 15th from 9 am to 1 pm. Pre-registration is required by October 6th, please call (914)813-6400. Free Breakfast and Free Parking will be provided.

3. An invitation by Superintendent of Recreation Ron Belmont to the Supervisor/Mayor, Town Board Members and to all Residents of Harrison to participate in "It's Great to Live in Harrison/Columbus Day Observance" weekend of activities:

Saturday October 10th Open House 10am-2pm
Harrison Police Headquarters
Fireworks, 7pm
West Harrison Fire Department

Sunday October 11th Car Show 10am-4pm
Harrison Train Station Parking Lot

Monday October 12th Parade 10am (line-up 9:30am)
Festival in Riis Park immediately following.

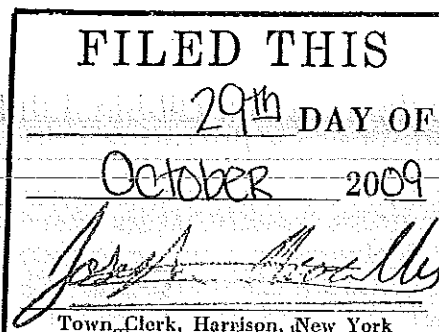
4. Notification by the Superintendent of Recreation that it is an honor and a pleasure to announce the recipient of this year's "Citizen of the Year" as Joseph Ruto. Mr. Ruto is a lifelong resident of Harrison, a Veteran and a volunteer member of the Harrison Fire Department for 50 years. The official presentation will be made at the It's Great to Live in Harrison Celebration/Columbus Day Observance, Monday, October 12, 2009.

Adopted by the following vote:

AYES: Councilmen Cannella, Vetere, Sciliano and Scappaticci
Supervisor Walsh

NAYS: None

ABSENT: None



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October 1, 2009

2009 - - 380 - - a

PUBLIC HEARING: AMENDING ARTICLE VI, SUPPLEMENTAL USE AND DIMENSIONAL REGULATIONS THAT PURSUANT TO ARTICLE 2, SECTION 10 AND ARTICLE 3, SECTION 20 OF THE MUNICIPAL HOME RULE LAW, BY AMENDING SECTION 235-18 (B) OF THE TOWN CODE OF THE TOWN OF HARRISON ENTITLED "PLACEMENT OF ACCESSORY BUILDINGS AND USES; GARAGES; OFF-STREET PARKING; TRUCK LOADING SPACES BY ADDING PARAGRAPH (6) IN THE B RESIDENTIAL ZONING DISTRICT THE MAXIMUM DRIVEWAY WIDTH THROUGH THE LOT AND AT THE STREET LINE SHALL BE 20 FEET". THIS AMENDMENT SHALL BE KNOWN AS LOCAL LAW NO. OF 2009 RESIDENCE DISTRICT, TABLE OF DIMENSIONAL REGULATIONS THE MODIFICATION OF THE "B" ZONE

Supervisor Walsh explained that amending Article VI would establish a maximum driveway width in the two-family B Zone as 20 feet for any single property. She further stated that some builders are currently building two-family houses with separate driveways for each family, thus reducing street parking and creating a hardship for the neighbors.

On motion of Councilman Cannella, seconded by Councilman Scappaticci, with all members voting in favor, the Hearing was opened.

Councilman Scappaticci questioned how many homes would be impacted, homes that already have greater driveways that are greater than 20 feet in width.

Building Inspector Robert FitzSimmons replied that he hasn't done a count as to how many will be impacted. He added that this proposed change is for future buildings, going forward.

Mr. Scappaticci asked how the Building Department had come up with a 20 foot width, adding that his driveway has a slope, and it is a problem.

Mr. FitzSimmons replied that it is based on garage doors which are 16 to 18 feet wide.

Mr. Scappaticci stated that his garage door is 18 feet, and it not oversized. With a wall on each side of his driveway, he cannot get out of his vehicle when there are two cars in it. On a 20 foot driveway, and if you are trying to fit two cars, the driver on the right could not get out or the left side passenger could not get out.

Deputy Village Attorney Jonathan Kraut pointed out that this would be dimensional requirements and if they needed a variance the builder can seek one.

Councilman Cannella stated that he supports this proposed change that it is in response to the condo concept for two-family homes. that building two driveways on a relatively small lot doesn't work.

No one else spoke in favor or against the proposal.

On motion of Councilman Cannella, seconded by Councilman Sciliano, the Hearing was closed.

October 1, 2009

2009 - - 380 - - b

APPROVAL TO AMEND ARTICLE VI,
SUPPLEMENTAL USE AND DIMENSIONAL REGULATIONS THAT
PURSUANT TO ARTICLE 2, SECTION 10 AND ARTICLE 3, SECTION 20 OF
THE MUNICIPAL HOME RULE LAW, BY AMENDING SECTION 235-18 (B) OF THE
TOWN CODE OF THE TOWN OF HARRISON ENTITLED
"PLACEMENT OF ACCESSORY BUILDINGS AND USES; GARAGES;
OFF-STREET PARKING; TRUCK LOADING SPACES BY ADDING PARAGRAPH (6) IN
THE B RESIDENTIAL ZONING DISTRICT THE MAXIMUM DRIVEWAY WIDTH
THROUGH THE LOT AND AT THE STREET LINE SHALL BE 20 FEET".
THIS AMENDMENT SHALL BE KNOWN AS LOCAL LAW NO. 5 OF 2009.

On motion of Councilman Cannella, seconded by Councilman Sciliano,

it was

RESOLVED to approve to amend Article VI, Supplemental Use and Dimensional Regulations that pursuant to Article 2, Section 10 and Article 3, Section 20 of the Municipal Home Rule Law, by Amending Section 235-18 (B) of the Town Code of the Town of Harrison entitled "Placement of accessory buildings and uses; garages; off-street parking; truck loading spaces by adding paragraph (6) in the B Residential Zoning District the maximum driveway width through the lot and at the street line shall be 20 feet" by adding This amendment shall be known as Local Law No. 5 of 2009.

FURTHER RESOLVED to forward a copy of this Resolution to the Assessor, the Building Inspector, the Commissioner of Public Works and the Town Attorneys.

Adopted by the following vote:

AYES: Councilmen Cannella, Vetere and Sciliano
Supervisor Walsh

NAYS: Councilman Scappaticci

ABSENT: None

After the motion was made, seconded, and approved, Councilman Scappaticci stated that he opposed it as his own driveway is 20 feet, with walls on either side, and he cannot get out of his car if there are two cars in it, that 20 feet is not wide enough. He asked if the width cannot be extended, that at 20 feet, he cannot get out of his car.

Supervisor Walsh asked if the curb cut could be 20 feet, and the driveway be wider.

Building Inspector Fitzsimmons replied that the width was chosen because a commercial parking space is 9 to 10 feet in width. He added that by Code, a driveway leading to an approved parking space, in this case the garage, can not be wider than 20 feet.

Supervisor Walsh pointed out that the vote had already been taken.

Councilman Cannella replied that it could be unvoted.

Mr. FitzSimmons pointed out that a car is only 5.5 to 6 feet wide, 7 feet at most.

Supervisor Walsh thanked Councilman Scappaticci for his discussion, but pointed out that everyone was going to stay with their vote, and it was time to move on.

With no one else in favor of or against the Hearing was closed.

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FILED THIS

29th DAY OF

October 2009

Town Clerk Harrison, New York

October 1, 2009

2009 - - 381

PUBLIC HEARING: Amending Residence District, Table of Dimensional Regulations the Modification of the "B" Zone pursuant to Article 2, Section 10 and Article 3, Section 20 of the Municipal Home Rule Law, by Amending the Residence Districts, Table of Dimensional Regulations to consider the modification of the "B" zone with an increase of the lot coverage from [30] to 35% (Footnote to table: All area under a roof shall be measured at the outermost exterior wall and included as Lot Coverage in this zone) and increase side yard minimums in the "B" zone from [5] feet to 7 feet and decrease abutting side street minimums on corner lot from [10] to 8 feet to the Town of Harrison Zoning Ordinance as Local Law No. ____ of 2009.

On motion of Councilman Cannella, seconded by Councilman Vetere, with all members voting in favor, the Hearing was opened.

Supervisor Walsh explained that this amendment would increase the area of the lot that could be covered by a building from 30% to 35%, and equalizes the sideyards on either side of the house. The intention is to have more space between the houses in the two-family zone.

Deputy Village Attorney Jonathan Kraut stated that Building Inspector Robert FitzSimmons could explain the genesis of the proposed law and stated that the added wording refers to measuring the lot coverage of the building from the ground up to and including the roof line.

Building Inspector Robert FitzSimmons stated that the recommended changes to the side set backs are to keep the buildings farther apart, to give more air between the buildings. Our present definition for lot coverage only mentions the foundation. He continued that when the coverage was reduced several years ago, the builders released this, and built cantilevered houses, which circumvented the intention.

Councilman Cannella stated that he would like to defer this proposal for at least two meetings, as there is a disconnect between the intention and the result of the former change. He added that the issues are centering, lot coverage, cantilevering, and building height. He explained that he has received extensive feedback on this issue and, in addition, he would like to receive advice from former Village Attorney Joe Latwin who had been working on the elevation issues for quite sometime.

Councilman Vetere stated that this change gives everyone a larger foundation, the original intention was to reduce the size of the house. He added that houses would now be larger.

Mr. Kraut responded that there had been many discussions regarding the elevation of the properties, and that they be more proportional to the size of the lot and the relation to the neighborhood.

Mr. Vetere replied that he did not believe that response.

Councilman Sciliano stated that when he was on the West Harrison Neighborhood Association they wanted to reduce the size of houses.

A discussion ensued regarding the dimensional regulations.

Rich Dionisio, resident, addressed the Board stating that he just does not understand the emphasis on two-family houses, that the 30% rule (coverage of 30% of the land within the property's boundaries) is what he builds in this town and it is devastating to the homeowner, especially those of two family homes. Mr. Dionisio went on to say that the town is acting in an extreme "anti-builder" manner. He also contended that the landlord registry proposed earlier is also against two-family homeowners. He added that if any house has to be registered, then every house should be registered, and if there is a fee, then everyone must pay the fee.

Supervisor Walsh responded: the proposal had been expanded to all houses, but the fee proposal had been vetoed by the majority of the Board. She added that the reason the 30% rule was adopted was to give more space between the houses, to give more air. Mrs. Walsh continued that the builders had found a loophole, that the 30% only applied to the foundation, and so they built the cantilevered houses. This change will address that loophole, and also center the house on the property.

Councilman Cannella stated that he has spoken with a number of architects in town regarding this proposed law change. He asked Mr. Dionisio to aid the Board in this discussion and in making a decision.

A discussion ensued regarding the proposed dimensions.

Mr. Dionisio stated that when the driveways are steep, the owner has to back in as, if they back out of the driveway, they are at such an angle that they cannot see anyone on the sidewalk. He also stated that a 20 foot driveway is not wide enough, that the town needs to help the two-family homeowners. He also complained about the depth of the basements -- it is worse than in the Bronx. He recommended raising the allowable height of a house by two feet.

Mr. FitzSimmons said that the driveways in other zones, such as the third acre zones, are about 12 feet. He added that, however, if the garage is at the front of the house, facing the street, it is double wide, making it 20-25 feet.

On motion of Councilman Cannella, seconded by Councilman Scappaticci, with all members voting in favor the Hearing was adjourned until the November 5, 2009 Meeting.

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29th DAY OF

October 2009

Town Clerk, Harrison, New York

October 1, 2009

2009 - - 382

APPROVAL FOR P.O. DERKA CANNON, P.O. ALEXANDRA GRAMINGA AND
P.O. SEAN MCADAM TO ATTEND THE 2009 NORTHEAST SUNGARD
PUBLIC SECTOR USERS GROUP REGIONAL TRAINING CONFERENCE. COST: \$1,500

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request by Chief of Police David Hall for authorization for P.O. Derka Cannon, P.O. Alexandra Graminga and P.O. Sean McAdam to attend the 2009 Northeast Sungard Public Sector Users Group (SUGA) Regional Training Conference in New Haven, Ct., from November 17th through November 20, 2009. The registration fee for this conference with travel expenses for all officers should not exceed \$1,500.

FURTHER RESOLVED that funding is available in Account 3120.415.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Personnel Manager and the Chief of Police.

Adopted by the following vote:

AYES: Councilmen Cannella, Scappaticci, Vetere and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

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29th

DAY OF

OCTOBER

2009

Town Clerk, Harrison, New York

October 1, 2009

2009 - - 383

APPROVAL FOR A 270 DAY EXTENSION OF TIME FOR
MANHATTANVILLE COLLEGE TO APPLY FOR A BUILDING PERMIT,
UNTIL AUGUST 6, 2010.

On motion of Councilman Cannella, seconded by Councilman Vetere,

it was

RESOLVED to approve the request by Attorney Seth Mandelbaum, with the law firm of McCullough, Goldberger & Staudt, on behalf of his client Manhattanville College, that due to current budgetary constraints, for authorization for a 270 day extension of the time to apply for a building permit, until August 6, 2010.

FURTHER RESOLVED to forward a copy of this Resolution to the Building Department, the Commissioner of Public Works and the Town Attorneys.

Adopted by the following vote:

AYES: Councilmen Cannella, Scappaticci, Vetere and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

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FILED THIS

29th DAY OF

October 2009

Town Clerk, Harrison, New York

October 1, 2009

2009 -- 384

AUTHORIZATION FOR THE FINAL, 4TH, INSTALLMENT PAYMENT
OF THE 2009 FUNDING FOR THE HARRISON EMERGENCY MEDICAL SERVICES.
AMOUNT: \$125,000

On motion of Councilman Vetere, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of Joseph Bilotto, Chief of Operations of the Harrison Emergency Medical Services, for authorization of their final, 4th, Installment Payment of their 2009 funding in the amount of \$125,000.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and Mr. Bilotto.

Adopted by the following vote:

AYES: Councilmen Cannella, Sciliano, Vetere and Scappaticci
Supervisor Walsh

NAYS: None

ABSENT: None

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29th DAY OF

October 2009

Joseph Bilotto
Town Clerk, Harrison, New York

October 1, 2009

2009 - - 385

APPROVAL TO RENAME CONGRESS STREET PARK TO
"EMILIO SCATENATO" PARK

Mr. Glen DeFaber, nephew of Emilio Scatenato addressed the Board. He stated that when his uncle "Mel" passed away the part of Town known as the "Brentwood" changed forever. Mel was a very generous man who would be the first to object to the renaming of the park after him however, it is a most fitting tribute.

Councilman Cannella read a statement regarding his own wonderful experiences with Mr. Scatenato. Statement to follow.

On motion of Councilman Cannella, seconded by Councilman Vetere,

it was

RESOLVED to approve the request by Glen DeFaber, nephew of Mr. Scatenato, for authorization to rename Congress Street Park to "Emilio Scatenato" Park.

FURTHER RESOLVED to forward a copy of this Resolution to the Superintendent of Recreation and the Commissioner of Public Works.

Adopted by the following vote:

AYES: Councilmen Cannella, Vetere, Scappaticci and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

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2009 - -386

APPROVAL TO SCHEDULE A PUBLIC HEARING ON OCTOBER 22, 2009
RE: SPECIAL EXCEPTION USE PERMIT TO BUILD A NEW OFFICE BUILDING
AT 3000-3030 WESTCHESTER AVENUE

On motion of Councilman Cannella, seconded by Councilman Vetere,

it was

RESOLVED to approve the request by Linda White head of McCullough, Goldberger & Staudt on behalf of her client Westchester Avenue Associates, LLC, for authorization to set the date of October 22, 2009 for a Public Hearing for a Special Exception Use Permit to build a new office building at 3000-3030 Westchester Avenue, which would complete the quadrant of buildings at the office park.

FURTHER RESOLVED to forward a copy of this Resolution to the Chairman of the Planning Board, the Commissioner of Public Works, the Assessor, the Building Inspector and Ms. Whitehead.

Adopted by the following vote:

AYES: Councilmen Cannella, Vetere, Scappaticci and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

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Town Clerk Harrison New York

October 1, 2009

2009 - - 387

APPROVAL TO SET THE DATE OF OCTOBER 22, 2009 FOR A PUBLIC HEARING
RE: A SPECIAL EXCEPTION USE PERMIT FOR THE NORTHEAST POTTER'S HOUSE
PROPOSED CHANGE OF USE FOR 211-223 (217) HARRISON AVENUE.

On motion of Councilman Vetere, seconded by Councilman Cannella,

it was

RESOLVED to approve the request by Mark Mustacato of R.M.G. Associates on behalf of his clients The Northeast Potter's House, Inc., for authorization to set the date of October 22, 2009 for a Public Hearing for the proposed change of use for 211-223 (217) Harrison Avenue, Block 133, Lot 31&(31&Po27). The Planning Board has agreed that this Use complies with the general conditions set forth in section 235-16 and 235-17 of the Zoning Code.

FURTHER RESOLVED to forward a copy of this Resolution to the Chairman of the Planning Board, the Assessor, the Building Inspector and the Commissioner of Public Works.

Adopted by the following vote:

AYES: Councilmen Cannella, Vetere, Scappaticci and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

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29th

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Town Clerk, Harrison, New York

October 1, 2009

2009 - - 388 - - a

APPROVAL FOR THE LAW DEPARTMENT TO REVIEW
THE WESTCHESTER COUNTY INTERMUNICIPAL AGREEMENT SHARED GIS
SERVICES FOR OCTOBER 1, 2009 THROUGH SEPTEMBER 30, 2014.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request by Acting Town Engineer Robert Wasp for authorization for the Law Department to review the Westchester County Intermunicipal Agreement Shared GIS Services, for October 1, 2009 through September 30, 2014.

FURTHER RESOLVED that the scope of services included in this IMA includes, but is not limited to the following:

- Development of internet, desktop and mobile mapping applications
- Providing of geospatial data warehouse services
- Assistance in database development projects
- Conducting Local Government GIS User Needs Assessment and project implementations
- Provided customized user training.

FURTHER RESOLVED that the standard rate for any service will be billed at \$51 per hour.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Town Engineer and the Town Attorneys.

Adopted by the following vote:

AYES: Councilmen Cannella, Vetere, Scappaticci and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

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- ☒ Law
- ___ Police
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FILED THIS

29th

DAY OF

OCTOBER 2009

Town Clerk, Harrison, New York

October 1, 2009

2009 - - 388 - - b

APPROVAL FOR THE SUPERVISOR TO SIGN
THE WESTCHESTER COUNTY INTERMUNICIPAL AGREEMENT SHARED GIS
SERVICES FOR OCTOBER 1, 2009 THROUGH SEPTEMBER 30, 2014.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request by Town Engineer Robert Wasp for authorization for the Supervisor to sign the Westchester County Intermunicipal Agreement Shared GIS Services for October 1, 2009 through September 31, 2014.

FURTHER RESOLVED to forward a copy of this Resolution to the Town Engineer, the Comptroller and the Town Attorneys.

Adopted by the following vote:

AYES: Councilmen Cannella, Vetere, Scappaticci and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

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FILED THIS

29th DAY OF

OCTOBER 2009

Town Clerk, Harrison, New York

October 1, 2009

2009 - - 389

APPROVAL OF THE REQUEST BY ROSA ACOCCELLA, CHEERLEADING COACH FOR
THE HARRISON HIGH SCHOOL FOOTBALL TEAM FOR A SPECIAL EVENTS PERMIT
FOR THE TRADITIONAL RYE GAME PEP RALLY AND BONFIRE TO BE HELD ON
FRIDAY, OCTOBER 16, 2009

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to approve the request by Rosa Acocella, Cheerleading Coach for the Harrison High School football team for a Special Events Permit for the traditional Rye game pep rally and bonfire to be held on Friday, October 16, 2009.

FURTHER RESOLVED that the fee be waived.

FURTHER RESOLVED that Ms. Acocella will notify the Police and Fire Department and the Harrison EMS.

FURTHER RESOLVED to forward a copy of this Resolution to the Commissioner of Public Works, the Assistant Fire Marshal and the Chief of Police.

Adopted by the following vote:

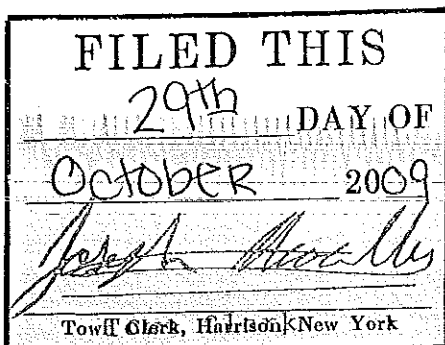
AYES: Councilmen Cannella, Scappaticci, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None

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October 1, 2009

2009 - - 390

APPROVAL FOR THE UTILITY EASEMENT AND SEWER PUMP STATION EASEMENT
BETWEEN SAROSCA FARM ESTATES, LLC AND THE TOWN OF HARRISON

On motion of Councilman Vetere, seconded by Councilman Cannella,

it was

RESOLVED approve the request by Deputy Village Attorney Jonathan Kraut for authorization for the Utility Easement and Sewer Pump Station Easement between Sarosca Farm Estates, LLC and the Town of Harrison.

FURTHER RESOLVED to forward a copy of this Resolution to the Village Attorneys, the Assessor, the Building inspector and the Commissioner of Public Works.

Adopted by the following vote:

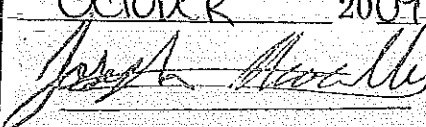
AYES: Councilmen Cannella, Vetere, Scappaticci and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

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| 29 th | DAY OF |
| October | 2009 |
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| Town Clerk, Harrison, New York | |

October 1, 2009

2009 - - 391

NOTIFICATION BY COMMISSIONER OF PUBLIC WORKS: RE: LEAF PICK-UP

Commissioner of Public Works Robert Wasp explained that the Town has an ordinance that leaves will be picked up beginning October 15, 2009 at the curb. Mr. Wasp said that it is important for the residents to brown bag their leaves and place them at the curb beginning October 15th.

COMPLIMENT TO THE HARRISON POLICE DEPARTMENT

Councilman Sciliano complemented the Harrison Police Department on their escorting services at a funeral for a dear friend.

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FILED THIS

29th DAY OF

October 2009

Town Clerk, Harrison, New York

October 1, 2009

2009 - - 392 - - a

AUTHORIZATION FOR THE SUPERVISOR TO EXECUTE THE AGREEMENT WITH
THE FEDERAL EMERGENCY MANAGEMENT OFFICE (FEMA/SEMO) FOR A TIME
EXTENSION THROUGH MAY 1, 2010 TO COMPLETE AND FILE
THE TOWN'S MULTI-HAZARD MITIGATION GRANT

On motion of Councilman Scappaticci, seconded by Councilman Vetere,

it was

RESOLVED to approve the request by Acting Town Engineer Robert Wasp for authorization for the Supervisor to execute the Agreement with the Federal Emergency Management Office (FEMA/SEMO) for a time extension through May 1, 2010 to complete and file the Town's Multi-Hazard Mitigation Grant. A time extension was requested because the final draft, although almost complete at the submission deadline, needed some additional information to complete.

FURTHER RESOLVED to forward a copy of this Resolution to the Town Engineer, the Town Attorneys and the Comptroller.

Adopted by the following vote:

AYES: Councilmen Cannella, Vetere, Scappaticci and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

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FILED THIS

29th

DAY OF

October

2009

Town Clerk Harrison, New York
Town Clerk

October 1, 2009

2009 -- 392 -- b

ADOPTION OF THE FEMA MULTI-HAZARD MITIGATION GRANT
TIME EXTENSION AND DRAFT MITIGATION PLAN

On motion of Councilman Scappaticci, seconded by Councilman Vetere,

it was

BE IT RESOLVED that;

WHEREAS, the Town /Village of Harrison, with the assistance from Dolph Rotfeld Engineering, PC, has gathered information and prepared the Town/Village of Harrison Multi-jurisdiction Hazard Mitigation Plan; and

WHEREAS, the Town/Village of Harrison Multi-jurisdiction Hazard Mitigation Plan has been prepared in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, the Town/Village of Harrison is a local unit of government that has afforded the citizens an opportunity to comment and provide input in the Plan and the actions in the Plan; and

WHEREAS, the Town/village Board of the Town/Village of Harrison has reviewed the Plan and affirms that the plan will be updated no less than every five years;

NOW, THEREFORE, BE IT RESOLVED by the Town/Village Board that, the Town/Village of Harrison adopts the Town/Village of Harrison Multi-jurisdiction Hazard Mitigation Plan as this jurisdiction's Natural Hazard Mitigation Plan,

Adopted by the following vote:

AYES: Councilmen Cannella, Scappaticci, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None

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FILED THIS

29th

DAY OF

October 2009

Town Clerk, Harrison, New York

October 1, 2009

2009 - - 393

MATTERS FOR EXECUTIVE SESSION:

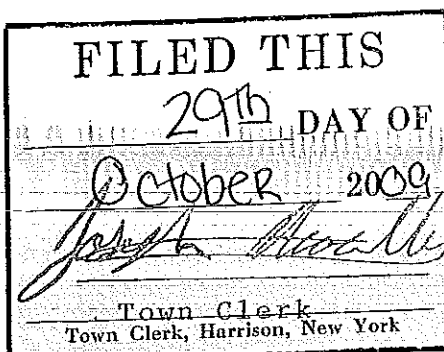
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|----------------------|---|
| Advice of Counsel | 1 |
| Litigation | 4 |
| Settlement of claims | 3 |
| Personnel | 1 |

On motion duly made and seconded,
with all members voting in favor, the Meeting
was recessed for Executive Session at 8:55 PM.

On motion duly made and seconded,
with all members voting in favor, the Meeting
was re-convened at 9:43 PM.

Copies to:

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| <input type="checkbox"/> | Benefits |
| <input type="checkbox"/> | Bldg |
| <input checked="" type="checkbox"/> | Compt'lr |
| <input checked="" type="checkbox"/> | Engrng |
| <input checked="" type="checkbox"/> | Law |
| <input type="checkbox"/> | Police |
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| <input type="checkbox"/> | Recr'tn |
| <input checked="" type="checkbox"/> | Supvs'r |



October 1, 2009

2009 - 394

SETTLEMENT OF CLAIM: LORUSSO v. TOWN OF HARRISON,
IN THE AMOUNT OF \$150.32

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to settle the claim of LoRusso v. Town of Harrison, in the amount of \$150.32, for damages to his property by a snow plow.

FURTHER RESOLVED that the settlement is subject to the claimant signing a General Release.

FURTHER RESOLVED to forward a copy of this Resolution to the Town Attorneys and the Comptroller.

Adopted by the following vote:

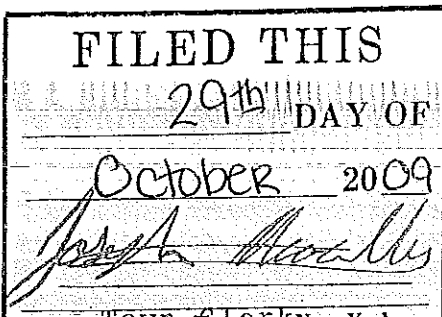
AYES: Councilmen Cannella, Vetere, Scappaticci and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

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October 1, 2009

2009 - - 395

SETTLEMENT OF CLAIM: GREAT NORTHERN a.s.o. GUPTA v TOWN OF HARRISON
IN THE AMOUNT OF \$4,274.21.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to settle the claim of Great Northern a.s.o. Gupta v. Town of Harrison, in the amount of \$4,274.21 for damages to the Gupta car.

FURTHER RESOLVED that the settlement is subject to the claimant signing a General Release.

FURTHER RESOLVED to forward a copy of this Resolution to the Town Attorneys and the Comptroller.

Adopted by the following vote:

AYES: Councilmen Cannella, Vetere, Scappaticci and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

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FILED THIS

29th

DAY OF

OCTOBER 2009

Town Clerk, Harrison, New York
Town Clerk

October 1, 2009

2009 - - 396

SETTLEMENT OF CLAIM: STATE FARM a.s.o. ELLISON, LYND SAY
IN THE AMOUNT OF \$5,978.27

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to settle the claim of State Farm a.s.o. Ellison, Lyndsay v. Town of Harrison, in the amount of \$5,978.27 for property damages only.

FURTHER RESOLVED that the settlement is subject to the claimant signing a General Release.

FURTHER RESOLVED to forward a copy of this Resolution to the Town Attorneys and the Comptroller.

Adopted by the following vote:

AYES: Councilmen Cannella, Vetere, Scappaticci and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

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FILED THIS

29th

DAY OF

OCTOBER

2009

Town Clerk, Harrison, New York
TOWN CLERK

October 1, 2009

2009 - - 397

AUTHORIZATION TO RAISE THE CAP ON LEGAL FEES TO \$35,000
IN THE MATTER OF VALERI v. TOWN OF HARRISON

On motion of Councilman Sciliano, seconded by Councilman Cannella,

it was

RESOLVED to raise the cap on legal fees in the matter of Valeri v. the Town of Harrison to \$35,000.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Town Attorneys.

Adopted by the following vote:

AYES: Councilmen Cannella, Vetere, Scappaticci and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

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FILED THIS

29th

DAY OF

October 2009

Town Clerk, Harrison, New York
Town Clerk

October 1, 2009

2009 - - 398

AUTHORIZATION TO RAISE THE CAP ON LEGAL FEES TO \$35,000
IN THE MATTER OF PORTO v. TOWN OF HARRISON

On motion of Councilman Scappaticci, seconded by Councilman Sciliano,

it was

RESOLVED to raise the cap on legal fees in the matter of Porto v. the Town of Harrison to \$35,000.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Town Attorneys.

Adopted by the following vote:

AYES: Councilmen Cannella, Vetere, Scappaticci and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

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FILED THIS
29th DAY OF
October 2009

Town Clerk, Harrison, New York

October 1, 2009

2009 - - 399

AUTHORIZATION TO RAISE THE CAP ON LEGAL FEES TO \$50,000
IN THE MATTER OF SAENZ v. TOWN OF HARRISON

On motion of Councilman Cannella, seconded by Councilman Sciliano,

it was

RESOLVED to raise the cap on legal fees in the matter of Saenz v. the Town of Harrison to \$50,000.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Town Attorneys.

Adopted by the following vote:

AYES: Councilmen Cannella, Vetere, Scappaticci and Sciliano
Supervisor Walsh

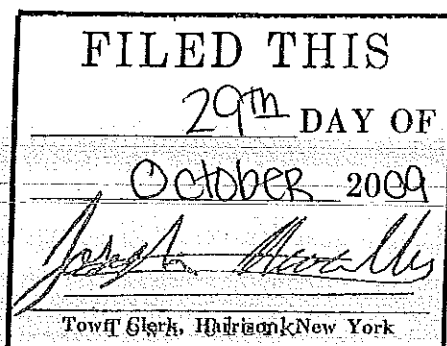
NAYS: None

ABSENT: None

There being no further matters to come before the Board,
the Meeting was, on motion duly made and seconded,
declared closed at 9:43 PM.

Respectfully submitted,

Joseph Acocella
Town Clerk



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